

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION**

Maurice Pegg,

Petitioner,

v.

Case No. 1:09cv858

Ohio Parole Board,

Judge Michael R. Barrett

Respondent.

ORDER

This matter is before the Court on the Report and Recommendation filed by the Magistrate Judge on August 26, 2010 (Doc. 11) and the Objections filed by the Petitioner (Doc. 13).

When objections are received to a magistrate judge's Report and Recommendation on a dispositive matter, the assigned district judge "shall make a de novo determination...of any portion of the magistrate judge's disposition to which specific written objection has been made...." Fed. R. Civ. P. 72(b). After review, the district judge "may accept, reject or modify the recommended decision, receive further evidence, or recommit the matter to the magistrate judge with instructions." *Id*; see also 28 U.S.C. 636(b)(1)(B). General objections are insufficient to preserve any issues for review; "[a] general objection to the entirety of the magistrate's report has the same effects as would a failure to object." *Howard v. Secretary of Health and Human Services*, 932 F.2d 505, 509 (6th Cir. 1991). Here, no specific objection has been made. The Petitioner has failed to address the recommendation of the Magistrate Judge or even address the argument that this petition is a successive petition.

Having reviewed this matter de novo pursuant to 28 U.S.C. 636, this Court finds

the Magistrate Judge's Report and Recommendation to be correct.

Accordingly, it is **ORDERED** that the Report and Recommendation of the Magistrate Judge is hereby **ADOPTED**. Respondent's Motion to Dismiss (Doc. 8) is granted in part and denied in part consistent with the Opinion by the Magistrate Judge. The Petition for writ of habeas corpus (Doc. 4) is **TRANSFERRED** pursuant to 28 U.S.C. § 1631 to the United States Court of Appeals for the Sixth Circuit for consideration whether the district court may review the petition in accordance with 28 U.S.C. § 2244(b). Petitioner's Motion in Response to Deny Respondent['s] Motion to Dismiss My Petition (Doc. 7) is **DENIED**.

IT IS SO ORDERED.

s/Michael R. Barrett
United States District Judge